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In re Application of
Peter G. Craven et al
Application No. 10/694,712
Filed: October 27, 2003
Attorney Docket No. D0L06511

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: **OFFICE OF PETITIONS**
: **DECISION ON PETITION**
: **UNDER 37 CFR 1.313(c)(2)**
:

This is a decision on the petition under 37 CFR 1.313(c)(2), filed August 30, 2004, to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **DISMISSED** as moot.

Unfortunately, the instant petition was not received within sufficient time to avert the issuance of the above-identified application into a patent. The Office sincerely apologizes for any inconvenience caused petitioner in this matter.

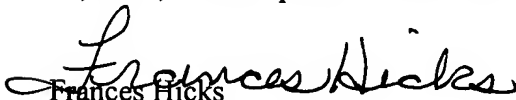
Petitioner's attention is directed to 37 CFR 1.313(d), which states:

A petition under this section will not be effective to withdraw the application from issue unless it is actually received and granted by the appropriate officials **before the date of issue.**

Since this application has issued, the concurrently filed request for continued examination (RCE) is improper and will not be processed. In view thereof, no fee has been assessed to the RCE. Further, no fee has been assessed to the instant petition under 37 CFR 1.313(c)(2).

The Information Disclosure Statement has been placed in the record of the above-identified application without further consideration. See 37 CFR 1.97(i).

Telephone inquiries should be directed to the undersigned at (703) 305-8680. Effective September 27, 2004, the new phone number will be 571-272-3218.


Frances Hicks

Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy